

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL DRS15165-MM-43B

Short Title: Government Transparency Act of 2021. (Public)

Sponsors: Senators Sanderson, Rabon, and Krawiec (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO STRENGTHEN CONFIDENCE IN GOVERNMENT BY INCREASING
3 ACCESSIBILITY TO PUBLIC PERSONNEL HIRING, FIRING, AND PERFORMANCE
4 RECORDS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 126-23(a) reads as rewritten:

7 "(a) Each department, agency, institution, commission and bureau of the State shall
8 maintain a record of each of its employees, showing the following information with respect to
9 each such employee:

- 10 (1) Name.
- 11 (2) Age.
- 12 (3) Date of original employment or appointment to State service.
- 13 (4) The terms of any contract by which the employee is employed whether written
14 or oral, past and current, to the extent that the agency has the written contract
15 or a record of the oral contract in its possession.
- 16 (5) Current position.
- 17 (6) Title.
- 18 (7) Current salary.
- 19 (8) Date and amount of each increase or decrease in salary with that department,
20 agency, institution, commission, or bureau.
- 21 (9) Date and type of each promotion, demotion, transfer, suspension, separation,
22 or other change in position classification with that department, agency,
23 institution, commission, or bureau.
- 24 (10) Date and general description of the reasons for each ~~promotion~~ promotion,
25 demotion, dismissal, transfer, suspension, separation, or other change in
26 position classification with that department, agency, institution, commission,
27 or bureau.
- 28 (11) ~~Date and type of each dismissal, suspension, or demotion for disciplinary~~
29 ~~reasons taken by the department, agency, institution, commission, or bureau.~~
30 If the ~~disciplinary personnel~~ action was a dismissal, a copy of the written
31 notice of the final decision of the head of the department setting forth the
32 specific acts or omissions that are the basis of the dismissal.
- 33 (12) The office or station to which the employee is currently assigned."

34 **SECTION 2.** G.S. 115C-320(a) reads as rewritten:

35 "(a) Each local board of education shall maintain a record of each of its employees,
36 showing the following information with respect to each employee:



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- 1 (1) Name.
- 2 (2) Age.
- 3 (3) Date of original employment or appointment.
- 4 (4) The terms of any contract by which the employee is employed whether written
- 5 or oral, past and current, to the extent that the board has the written contract
- 6 or a record of the oral contract in its possession.
- 7 (5) Current position.
- 8 (6) Title.
- 9 (7) Current salary.
- 10 (8) Date and amount of each increase or decrease in salary with that local board
- 11 of education.
- 12 (9) Date and type of each promotion, demotion, transfer, suspension, separation,
- 13 or other change in position classification with that local board of education.
- 14 (10) Date and general description of the reasons for each ~~promotion~~ promotion,
- 15 demotion, dismissal, transfer, suspension, separation, or other change in
- 16 position classification with that local board of education.
- 17 ~~(11) Date and type of each dismissal, suspension, or demotion for disciplinary~~
- 18 ~~reasons taken by the local board of education. If the disciplinary personnel~~
- 19 ~~action was a dismissal, a copy of the written notice of the final decision of the~~
- 20 ~~local board education setting forth the specific acts or omissions that are the~~
- 21 ~~basis of the dismissal.~~
- 22 (12) The office or station to which the employee is currently assigned."

SECTION 3. G.S. 115D-28(a) reads as rewritten:

24 "(a) Each board of trustees shall maintain a record of each of its employees, showing the
25 following information with respect to each employee:

- 26 (1) Name.
- 27 (2) Age.
- 28 (3) Date of original employment or appointment.
- 29 (4) The terms of any contract by which the employee is employed whether written
- 30 or oral, past and current, to the extent that the board has the written contract
- 31 or a record of the oral contract in its possession.
- 32 (5) Current position.
- 33 (6) Title.
- 34 (7) Current salary.
- 35 (8) Date and amount of each increase or decrease in salary with that community
- 36 college.
- 37 (9) Date and type of each promotion, demotion, transfer, suspension, separation,
- 38 or other change in position classification with that community college.
- 39 (10) Date and general description of the reasons for each ~~promotion~~ promotion,
- 40 demotion, dismissal, transfer, suspension, separation, or other change in
- 41 position classification with that community college.
- 42 ~~(11) Date and type of each dismissal, suspension, or demotion for disciplinary~~
- 43 ~~reasons taken by the community college. If the disciplinary personnel action~~
- 44 ~~was a dismissal, a copy of the written notice of the final decision of the board~~
- 45 ~~of trustees setting forth the specific acts or omissions that are the basis of the~~
- 46 ~~dismissal.~~
- 47 (12) The office or station to which the employee is currently assigned."

SECTION 4. G.S. 122C-158(b) reads as rewritten:

49 "(b) The following information with respect to each employee is a matter of public record:

- 50 (1) Name.
- 51 (2) Age.

- 1 (3) Date of original employment or appointment to the area authority.
- 2 (4) The terms of any contract by which the employee is employed whether written
- 3 or oral, past and current, to the extent that the agency has the written contract
- 4 or a record of the oral contract in its possession.
- 5 (5) Current position.
- 6 (6) Title.
- 7 (7) Current salary.
- 8 (8) Date and amount of each increase or decrease in salary with that area
- 9 authority.
- 10 (9) Date and type of each promotion, demotion, transfer, suspension, separation,
- 11 or other change in position classification with that area authority.
- 12 (10) Date and general description of the reasons for each ~~promotion~~promotion,
- 13 demotion, dismissal, transfer, suspension, separation, or other change in
- 14 position classification with that area authority.
- 15 (11) ~~Date and type of each dismissal, suspension, or demotion for disciplinary~~
- 16 ~~reasons taken by the area authority.~~ If the disciplinary personnel action was a
- 17 dismissal, a copy of the written notice of the final decision of the area authority
- 18 setting forth the specific acts or omissions that are the basis of the dismissal.
- 19 (12) The office to which the employee is currently assigned."

SECTION 5. G.S. 153A-98(b) reads as rewritten:

20 (b) The following information with respect to each county employee is a matter of public
 21 record:

- 22 (1) Name.
- 23 (2) Age.
- 24 (3) Date of original employment or appointment to the county service.
- 25 (4) The terms of any contract by which the employee is employed whether written
- 26 or oral, past and current, to the extent that the county has the written contract
- 27 or a record of the oral contract in its possession.
- 28 (5) Current position.
- 29 (6) Title.
- 30 (7) Current salary.
- 31 (8) Date and amount of each increase or decrease in salary with that county.
- 32 (9) Date and type of each promotion, demotion, transfer, suspension, separation
- 33 or other change in position classification with that county.
- 34 (10) Date and general description of the reasons for each ~~promotion~~promotion,
- 35 demotion, dismissal, transfer, suspension, separation, or other change in
- 36 position classification with that county.
- 37 (11) ~~Date and type of each dismissal, suspension, or demotion for disciplinary~~
- 38 ~~reasons taken by the county.~~ If the disciplinary personnel action was a
- 39 dismissal, a copy of the written notice of the final decision of the county
- 40 setting forth the specific acts or omissions that are the basis of the dismissal.
- 41 (12) The office to which the employee is currently assigned."

SECTION 6. G.S. 160A-168(b) reads as rewritten:

42 (b) The following information with respect to each city employee is a matter of public
 43 record:

- 44 (1) Name.
- 45 (2) Age.
- 46 (3) Date of original employment or appointment to the service.
- 47 (4) The terms of any contract by which the employee is employed whether written
- 48 or oral, past and current, to the extent that the city has the written contract or
- 49 a record of the oral contract in its possession.
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- 1 (5) Current position.
- 2 (6) Title.
- 3 (7) Current salary.
- 4 (8) Date and amount of each increase or decrease in salary with that municipality.
- 5 (9) Date and type of each promotion, demotion, transfer, suspension, separation,
- 6 or other change in position classification with that municipality.
- 7 (10) Date and general description of the reasons for each ~~promotion~~promotion,
- 8 demotion, dismissal, transfer, suspension, separation, or other change in
- 9 position classification with that municipality.
- 10 (11) ~~Date and type of each dismissal, suspension, or demotion for disciplinary~~
- 11 ~~reasons taken by the municipality. If the disciplinary personnel action was a~~
- 12 ~~dismissal, a copy of the written notice of the final decision of the municipality~~
- 13 ~~setting forth the specific acts or omissions that are the basis of the dismissal.~~
- 14 (12) The office to which the employee is currently assigned."

SECTION 7. G.S. 162A-6.1(b) reads as rewritten:

16 "(b) The following information with respect to each authority employee is a matter of
17 public record:

- 18 (1) Name.
- 19 (2) Age.
- 20 (3) Date of original employment or appointment to the service.
- 21 (4) The terms of any contract by which the employee is employed whether written
- 22 or oral, past and current, to the extent that the authority has the written contract
- 23 or a record of the oral contract in its possession.
- 24 (5) Current position.
- 25 (6) Title.
- 26 (7) Current salary.
- 27 (8) Date and amount of each increase or decrease in salary with that authority.
- 28 (9) Date and type of each promotion, demotion, transfer, suspension, separation,
- 29 or other change in position classification with that authority.
- 30 (10) Date and general description of the reasons for each ~~promotion~~promotion,
- 31 demotion, dismissal, transfer, suspension, separation, or other change in
- 32 position classification with that authority.
- 33 (11) ~~Date and type of each dismissal, suspension, or demotion for disciplinary~~
- 34 ~~reasons taken by the authority. If the disciplinary personnel action was a~~
- 35 ~~dismissal, a copy of the written notice of the final decision of the authority~~
- 36 ~~setting forth the specific acts or omissions that are the basis of the dismissal.~~
- 37 (12) The office to which the employee is currently assigned."
- 38 **SECTION 8.** This act becomes effective December 1, 2021.